

MELINDA HAAG (CABN 132612)
United States Attorney

MIRANDA KANE (CABN 150630)
Chief, Criminal Division

J. MARK KANG (NYBN 4033999)
Special Assistant United States Attorney

450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
Telephone: (415) 436-7050
Facsimile: (415) 436-7234
E-Mail: Mark.Kang@usdoj.gov

Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
PABLO PEREZ-ANGUIANO,)
a/k/a Jose Escalera Aguilera,)
a/k/a Jose Escalera,)
a/k/a Mario Escalera,)
Defendant.)

Nos. CR12-0090 RS
CR12-0156 RS

**STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING HEARING ON
FEBRUARY 19, 2013 TO MARCH 5,
2013 AND FOR THE EXCLUSION OF
TIME UNDER 18 U.S.C. § 3161**

This matter is currently set for a competency hearing on February 19, 2013. The parties have not been provided any report from the Bureau of Prisons regarding the results of a competency examination. Accordingly, the parties stipulate and jointly request that the hearing currently scheduled for February 19, 2013 be continued to March 5, 2013 in order to receive and review any report resulting from the Court ordered competency examination.

The parties further agree to exclude the period of time between February 19, 2013 to March 5, 2013 from any time limits applicable under 18 U.S.C. § 3161. The parties represent

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1 that granting the exclusion would allow the reasonable time necessary for effective preparation
2 of counsel. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). The parties also agree that the ends of justice
3 served by granting such an exclusion of time outweigh the best interests of the public and the
4 defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

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6 SO STIPULATED:

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8 MELINDA HAAG
United States Attorney

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10 DATED: February 15, 2013

_____/s/_____
11 J. MARK KANG
Special Assistant United States Attorney

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13 DATED: February 15, 2013

_____/s/_____
14 CANDIS MITCHELL
Attorney for Defendant

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For the reasons stated above the Court continues the competency hearing date from February 19, 2013 to March 5, 2013.

The Court further finds that the exclusion from the time limits applicable under 18 U.S.C. § 3161 of the period from February 19, 2013 through March 5, 2013 is warranted and that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161(h)(7)(A). Denying the requested exclusion of time would deprive the parties of the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

IT IS SO ORDERED.

DATED: 2/15/13



THE HONORABLE RICHARD SEEBORG
United States District Judge